

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/901,014
Applicant : CHU, Wei-Sing
Filed : July 10, 2001
TC/A.U. : 1641
Examiner : YANG, Nelson

Confirmation No.: 8862

Docket No. : 2313-0116
Cust. No. : 6449

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Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

INTERVIEW SUMMARY

Dear Sir:

In response to the Examiner's Interview Summary of April 9, 2009, the Applicant submits the following summary of the personal interview that took place April 1, 2009 between the undersigned representative of the Applicant, the Applicant, the Applicant's colleague and the Examiner.

Personal Conference:

The Applicant thanks the Examiner for the many courtesies extended to the undersigned representative of the Applicant, the Applicant and the Applicant's colleague during the personal interview that took place April 1, 2009.

Applicant and the Applicant's colleague displayed two embodiments of the invention at that interview.

The first embodiment displayed was a cylindrical reaction chamber with an ultrasonic transducer covering the cylinder's bottom end. The ultrasonic transducer faced the cylinder's open top end. The cylindrical chamber would preferably contain solution for immersing both a tissue sample and the ultrasound transducer within the cylindrical chamber.

The second embodiment displayed was a series of interconnected ultrasound transducers to which was affixed a commensurate series of interconnected containers for holding tissue samples. Each sample container was held at the same distance, within 2 inches,

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from its respective transducer. This embodiment would be submerged in a solution, thereby submerging both the transducer and the tissue sample in the same solution.

Among the issues discussed at that interview was whether a draft amendment, which introduced language requiring that both the tissue sample and the ultrasound transducer are immersed in the same solution, would overcome the 35 U.S.C. § 103(a) rejections outlined in the non-final Office action of January 2, 2009.

Also discussed was the issue regarding whether prior art references, which the Examiner cited in the non-final Office action of January 2, 2009, can be combined to support 35 U.S.C. § 103(a) rejections when two of the references teach the destruction of tissue (Northrup and Ishibashi) as compared to its preservation (Gravlee and Vago and Antich).

No agreement was made with regard to these issues.


The Examiner, the undersigned representative of the Applicant, the Applicant and the Applicant's colleague then discussed claim amendments which could introduce allowable structural limitations to claims 70 and 98. Among the possible structural limitations discussed were recitations requiring a measurable distance between the transducer and the tissue sample, requiring multiple and/or revolving transducers, requiring a revolving tissue sample, etc.

The undersigned representative of the Applicant, the Applicant and the Applicant's colleague agreed to consider amending the claims to introduce structural limitations.

Finally, the Examiner agreed to withdraw the rejection based on Chu (US 7,262,022) if the Applicant filed a terminal disclaimer. The Examiner also agreed to hold the rejection of nonstatutory obviousness-type double patenting over claims 92-108 of Chu (US Appn. 2007/0072258), filed September 25, 2006, in abeyance.

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Respectfully submitted,

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